

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
DAMON JONES, *on behalf of himself and all
others similarly situated*, :
:
Plaintiff, : 23-CV-5590 (VSB)
:
-against- : **ORDER**
:
Boot World, Inc., :
:
Defendant. :
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VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on June 29, 2023, (Doc. 1), and filed an affidavit of service on July 19, 2023, (Doc. 5). The deadline for Defendant to respond to Plaintiff's complaint was August 8, 2023. However, I granted the parties' joint request for an extension for Defendant to respond, (Doc. 7), making the new deadline October 27, 2023. To date, Defendant has not appeared or responded to the complaint. Plaintiff, however, has taken no action to prosecute this case. Accordingly, if Plaintiff intends to seek a default judgment, he is directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than December 28, 2023. If Plaintiff fails to do so or otherwise demonstrate that he intends to prosecute this litigation, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: December 14, 2023
New York, New York


VERNON S. BRODERICK
United States District Judge